

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**CYNTHIA F. TONEY, a/k/a Cynthia  
F. Passmore,**

**Plaintiff,**

**v.**

**MEDICAL DATA SYSTEMS, INC.,  
d/b/a Medical Revenue Services,**

**Defendant.**

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**CASE NO. 2:06-cv-00949-ID-WC**

**MOTION TO WITHDRAW**

Comes now defendant Medical Data Systems, Inc. ("MDS"), and moves this honorable Court to allow J. Kirkman Garrett of Christian & Small LLP to withdraw as counsel of record in this action. James C. Huckaby, Jr. with Christian & Small LLP, as well as John G. Parker and Stefanie H. Jackman of the Paul Hastings firm, remain as counsel of record for defendant MDS. MDS requests that Mr. Garrett be removed from the electronic service list for this action.

Respectfully submitted this the 31st day of March, 2008.

/s/ J. Kirkman Garrett  
James C. Huckaby, Jr.  
J. Kirkman Garrett  
Local Counsel for Defendant  
Medical Data Systems, Inc.

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-- AND --

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 31st day of March, 2008, I electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to:

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Gary Wyatt Stout, Esq.  
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/s/ J. Kirkman Garrett  
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